

AMENDMENTS

1974—Subsec. (c). Pub. L. 93-265 struck out “, with respect to the preparation but not including printing,” before “such sum”.

CHAPTER 16—DISTRIBUTION OF JUDGMENT FUNDS

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CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 117b, 609c, 4023 of this title; title 20 section 1087uu-1.

§ 1401. Funds appropriated in satisfaction of judgments of Indian Claims Commission or United States Court of Federal Claims

(a) Use and distribution

Notwithstanding any other law, all use or distribution of funds appropriated in satisfaction of a judgment of the Indian Claims Commission or the United States Court of Federal Claims in favor of any Indian tribe, band, group, pueblo, or community (hereinafter referred to as “Indian tribe”), together with any investment income earned thereon, after payment of attorney fees

and litigation expenses, shall be made pursuant to the provisions of this chapter.

(b) Amounts remaining to be held in trust unless otherwise provided

Except as provided in sections 164 and 165 of this title, amounts which the Secretary of the Interior has remaining after execution of either a plan under this chapter, or another Act enacted heretofore or hereafter providing for the use or distribution of amounts awarded in satisfaction of a judgment in favor of an Indian tribe or tribes, together with any investment income earned thereon and after payment of attorney fees and litigation expenses, shall be held in trust by the Secretary for the tribe or tribes involved if the plan or Act does not otherwise provide for the use of such amounts.

(c) Short title

This chapter may be cited as the “Indian Tribal Judgment Funds Use or Distribution Act”.

(Pub. L. 93-134, §1, Oct. 19, 1973, 87 Stat. 466; Pub. L. 97-164, title I, §160(a)(1), Apr. 2, 1982, 96 Stat. 48; Pub. L. 100-153, §4, Nov. 5, 1987, 101 Stat. 886; Pub. L. 102-572, title IX, §902(b)(1), Oct. 29, 1992, 106 Stat. 4516.)

REFERENCES IN TEXT

The Indian Claims Commission, referred to in text, terminated Sept. 30, 1978. See Codification note set out under former section 70 et seq. of this title.

AMENDMENTS

1992—Subsec. (a). Pub. L. 102-572 substituted “United States Court of Federal Claims” for “United States Claims Court”.

1987—Subsec. (a). Pub. L. 100-153, §4(1), (2), designated existing provision as subsec. (a) and substituted “any investment income” for “any interest”.

Subsecs. (b), (c). Pub. L. 100-153, §4(3), added subsecs. (b) and (c).

1982—Pub. L. 97-164 substituted “United States Claims Court” for “Court of Claims”.

EFFECTIVE DATE OF 1992 AMENDMENT

Amendment by Pub. L. 102-572 effective Oct. 29, 1992, see section 911 of Pub. L. 102-572, set out as a note under section 171 of Title 28, Judiciary and Judicial Procedure.

EFFECTIVE DATE OF 1982 AMENDMENT

Amendment by Pub. L. 97-164 effective Oct. 1, 1982, see section 402 of Pub. L. 97-164, set out as a note under section 171 of Title 28, Judiciary and Judicial Procedure.

§ 1402. Plan for use or distribution of funds

(a) Preparation and submission to Congress by Secretary of the Interior; contents; copy to affected Indian tribe

Within one year after appropriation of funds to pay a judgment of the Indian Claims Commission or the United States Court of Federal Claims to any Indian tribe, the Secretary of the Interior shall prepare and submit to Congress a plan for the use and distribution of the funds. Such plan shall include identification of the present-day beneficiaries, a formula for the division of the funds among two or more beneficiary entities if such is warranted, and a proposal for the use and distribution of the funds. The Secretary shall simultaneously submit a copy of such plan to each affected tribe or group.